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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/553,361	04/20/2000	Aviel D. Rubin	1999-0728	4969

7590

11/12/2003

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EXAMINER

OPSASNICK, MICHAEL N

ART UNIT

PAPER NUMBER

2655

DATE MAILED: 11/12/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/553,361

Applicant(s)

RUBIN ET AL.

Examiner

Michael N. Opsasnick

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14, 17, 20-27 and 32-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 17, 20-27 and 32-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-14,17,20-27,32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al(6167395) in view of Flores et al (5216603).

As per claims 1,14,17,20,22, Beck et al (6167395) teaches a method for retaining broadband communications comprising the steps of collecting digitized information packets of a communication session (col. 6 lines 24-50) and selecting keywords related to said communication session for subsequently searching to find said communication session (abstract). Beck et al(6167395) also teaches keyword summarization (col. 9 lines 38-51), content based access of the communicated information (col. 10 lines 10-50), however, Beck et al(6167395) does not explicitly teach creating a database wherein the database contains selected keywords of a communication session so that it can be subsequently searched via the chosen keywords, however, Flores et al (5216603) teaches keyword association with present and past conversations to be used (Fig. 15,16; fig 13-14, fig. 17, col. 42 lines 31-45; col. 54 lines 12-26). Therefore, it would have been obvious to one of ordinary skill in the art of conversation recordkeeping systems to modify the teachings as taught by Beck et al (6167395) with

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conversation keyword association because it would advantageously allow for easier access to already stored conversations (Flores et al, fig. 15; fig. 18; col. 4 lines 20-35).

As per claims 2,21, and 23, Beck et al (6167395) teaches:

“determining.....text information” as converting speech to text (Fig. 7, subblocks 185)

As per claims 3, 24, Beck et al (6167395) teaches:

“step of selecting....automatically” as automated detection (col. 18 lines 10-24; and col. 20 lines 47-59)

As per claims 4, 22, Beck et al (6167395) teaches:

“prompting a first party.....party preference” as analyzing association criteria and making a selection based on that criteria (abstract)

As per claims 5,25, and 26, Beck et al (6167395) teaches:

“includes outgoing packets....first party” as packets of information transferred from the first party to the second party (Figs. 2,4, and 6)

As per claims 6, 27, Beck et al (6167395) teaches:

“determining if approval.....second party” as logging into a network via password protection (Fig. 6)

As per claims 7,9,10, Beck et al (6167395) teaches storing meta information and packets to memory (Fig. 7, subblock 191)

As per claims 8, Beck et al (6167395) teaches constraining access of the user to certain information with additional permission(col. 25 line 60 – col. 26 line 17)

As per claims 11,32, Beck et al (6167395) teaches voice/speech recognition to convert to text using keywords (col. 21 lines 35-47)

As per claims 12, 33, 34, Beck et al (6167395) teaches searching the database (fig. 7)

As per claims 13,33, and 34, Beck et al (6167395) teaches storing and retrieving information from the database for parsing or review (col. 24 lines 37-65).

Response to Arguments

3. Applicant's arguments filed 8/25/2003 have been fully considered but they are moot in view of the new grounds of rejection.

Conclusion

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4. Please see related art listed on the PTO-892 form.

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

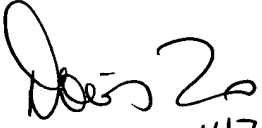
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (703)305-4089, who is available Tuesday-Thursday, 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Doris To, can be reached at (703)305-4827. The facsimile phone number for this group is (703)872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

mno
11/6/2003


DORIS H. TO 11/7/03
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600